UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
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CHRISTOPHER BRANT,

Plaintiff,	**6:15-cv-1382**
	(GLS/TWD)
v.	
CITY OF SYRACUSE et al.,	
Defendants.	

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SUMMARY ORDER

On December 7, 2015, Magistrate Judge Thérèse Wiley Dancks

recommended dismissal of this action without prejudice and with leave to

amend. (Dkt. No. 7.) Pending before the court is plaintiff *pro se*

Christopher Brant's "objection to order." (Dkt. No. 8.) For the reasons set

forth below, the Report-Recommendation (R&R) is adopted.

Judge Dancks recommended dismissal of Brant's action because the

statute of limitations for his civil rights claims expired, (Dkt. No. 7 at 4-7), a

proposition with which Brant takes no issue. The R&R also holds open the

slim possibility that Brant can articulate some basis for equitable tolling

upon amendment of the complaint. (*Id.* at 6-7.) In his objections, instead

of arguing that Judge Dancks' recommendation is flawed, Brant attempts

to provide a justification for tolling. (Dkt. No. 8 ¶¶ 4-6.) Brant's filing

triggers review only for clear error. *See Almonte v. N.Y. State Div. of*

Parole, No. Civ. 904CV484GLS, 2006 WL 149049, at *6 (N.D.N.Y. Jan. 18,

2006). Having carefully reviewed the R&R, and finding no clear error, it is

adopted in its entirety. Brant may file an amended complaint within thirty

(30) days of the date of this Summary Order; in such an amended

complaint, Brant may include facts that support his tolling argument.

Accordingly, it is hereby

    ORDERED that Judge Dancks' R&R (Dkt. No. 7) is **ADOPTED IN**
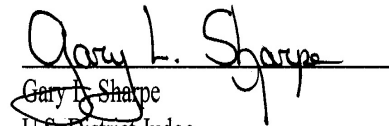
ITS ENTIRETY; and it is further

    ORDERED that the complaint (Dkt. No. 1) is **DISMISSED WITHOUT**

PREJUDICE; and it is further

    ORDERED that, if Brant fails to file an amended complaint within

thirty (30) days of the date of this Summary Order, the Clerk shall close the

case without further order of the court; and it is further

    ORDERED that the Clerk serve a copy of this Summary Order on

Brant.

IT IS SO ORDERED

January 5, 2016
Albany, New York

Gary L. Sharpe
U.S. District Judge